

State of Alaska FY2006 Governor's Operating Budget

Department of Law Legislation/Regulations Component Budget Summary

Component: Legislation/Regulations

Contribution to Department's Mission

The Legislation and Regulations Section provides legal advice and assures compliance with legal standards regarding legislation and regulations that implement executive branch policy directives.

Core Services

The Legislation and Regulations Section drafts and edits legislation on behalf of the governor for introduction in the legislature, tracks and reviews all legislation for legal issues before the governor acts on it, and reviews virtually all regulations adopted by the executive branch for compliance with legal requirements. The section assists the governor's office in seeking passage of legislation introduced at the request of the governor. The section coordinates responses to legal questions and requests for information from legislators to the Department of Law. The section provides training on regulations and legislative matters to all state agencies and to assistant attorneys general. The section prepares the Drafting Manual for Administrative Regulations. The section frequently provides advice to state agencies regarding legal requirements for legislation, regulations, public records, and the Open Meetings Act. The regulations attorney serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates model legislation on issues of nationwide concern.

FY2006 Resources Allocated to Achieve Results

FY2006 Component Budget: \$842,900

Personnel:

Full time	8
Part time	0
Total	8

Key Component Challenges

The Legislation and Regulations Section will be facing an increased demand for its services. The implementation of most major program and policy changes, including cost containment and increasing efficiency and effectiveness in the provision of state services, requires timely changes to statutes, regulations, or a combination of both. To defend any legal challenges successfully and to implement those program and policy changes in a timely manner, precise and clear regulations and statutes are essential. This section plays a crucial role in ensuring that regulations and proposed legislation meet those strict legal standards. The section sees a significant increase in regulations projects and proposed legislation and an increased burden to meet the requests of state agencies with timeliness and accuracy. It will be challenged to do so even with additional resources provided by the Twenty-Third Legislature. In addition, legislation passed last year changes the procedure for adopting regulations, which will require some additional time and effort for the section.

A major segment of these regulations will be to implement important policy directives to encourage development of the state's natural resources and other economic development initiatives and to control costs attributable to the Department of Health and Social Services' programs. Businesses require a stable and predictable regulatory environment for planning investments and operational purposes. The section provides training regarding regulations and the editing of regulations to state agencies to further this goal. The section's resources are finite and its capacity to meet the increased demands of state agencies for these services will require careful management.

Significant Changes in Results to be Delivered in FY2006

We expect that the two recently hired additional attorneys with administrative law and technical drafting experience to assist in providing legal advice and editing will directly improve the section's ability to assist other state agencies in improving their decision making and thereby positively affect the number of cases concerning statutes and regulations in which the state prevails at the outcome. This additional staff will help the section in its legal reviews of agency approved regulations to achieve a target of 100 percent on-time response, measured by the percentage of responses delivered within a mutually agreed time period. The additional staff resources will also mean that we should be able to increase public awareness of agency regulation adoption process by holding one informational meeting for the public per year.

Major Component Accomplishments in 2004

- The section conducted legal review of over 1,930 pages of regulations during fiscal year 2004.
- In September 2003, the section conducted regulation training classes in Juneau, Anchorage, and Fairbanks, on basic regulations development.
- In the fall of 2003, the section prepared and distributed to department secretaries and attorneys Legislation Preparation Information Packets containing typing, formatting, style, and drafting technique information for preparation of legislation projects. The section also conducted legislation typing training classes for the Juneau secretaries (in person) and for the Fairbanks and Anchorage office secretaries (by teleconference).
- The section coordinated and assisted with 187 legislation projects for the 2004 regular and special sessions.
- In the spring of 2004, the section coordinated preparation of and performed final editing on over 180 bill reviews for the governor.

Statutory and Regulatory Authority

AS 44.23.020

AS 44.23.040

AS 44.62.060

AS 44.62.125

Contact Information

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**Legislation/Regulations
Component Financial Summary**

All dollars shown in thousands

	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	556.3	647.7	685.4
72000 Travel	4.7	10.1	10.1
73000 Services	123.5	125.1	125.1
74000 Commodities	10.1	15.8	15.8
75000 Capital Outlay	6.0	6.5	6.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	700.6	805.2	842.9
Funding Sources:			
1004 General Fund Receipts	477.8	586.8	623.1
1007 Inter-Agency Receipts	222.8	218.4	219.8
Funding Totals	700.6	805.2	842.9

Estimated Revenue Collections

Description	Master Revenue Account	FY2004 Actuals	FY2005 Managem nt Plan	FY2006 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	222.8	218.4	219.8
Restricted Total		222.8	218.4	219.8
Total Estimated Revenues		222.8	218.4	219.8

**Summary of Component Budget Changes
From FY2005 Management Plan to FY2006 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2005 Management Plan	586.8	0.0	218.4	805.2
Adjustments which will continue current level of service:				
-FY 05 Bargaining Unit Contract Terms: GGU	0.6	0.0	0.0	0.6
-From Commercial and Fair Business to Adjust Vacancy	30.2	0.0	0.0	30.2
-FY06 Cost Increases for Bargaining Units and Non-Covered Employees	5.5	0.0	1.4	6.9
FY2006 Governor	623.1	0.0	219.8	842.9

**Legislation/Regulations
Personal Services Information**

Authorized Positions		Personal Services Costs		
<u>FY2005</u>				
<u>Management</u>		<u>FY2006</u>		
<u>Plan</u>		<u>Governor</u>		
		Annual Salaries		554,197
Full-time	8	COLA		660
Part-time	0	Premium Pay		0
Nonpermanent	0	Annual Benefits		250,459
		<i>Less 11.94% Vacancy Factor</i>		(96,116)
		Lump Sum Premium Pay		0
Totals	8	Total Personal Services		709,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney IV	0	0	3	0	3
Attorney V	0	0	1	0	1
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
Totals	0	0	8	0	8